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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/473,815	12/28/1999	KI-HWAN KIM	678-418-(P88	1495

7590 04/28/2004  
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EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
2645	11

DATE MAILED: 04/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/473,815

Applicant(s)

KIM, KI-HWAN

Examiner

Olisa Anwah

Art Unit

2645

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 07 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-7.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☒ Other: See Continuation Sheet

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

Olisa Anwah  
Patent Examiner  
April 23<sup>rd</sup>, 2004

Part of Paper No. 11

Continuation of 2. NOTE: Claim 5 raises new issues because the proposed change "wherein the message is reproduced without entering a key separate from the scroll key" was not recited previously in the pending claims.

With respect to claim 1, Applicant argues the calculations of Akahane does not consider the storage related information. Regarding the claimed calculating step as claimed in claim 1, Applicant's specification discloses, "if the voice message stored mode is set, the CPU 10 calculates a remaining memory capacity by subtracting the used memory capacity from the total memory capacity" (page 6). According to Applicant's specification the total memory includes a first memory, a second memory and a third memory (page 4) wherein the third memory includes several fields for storing voice data, the stored time of the voice message, the length of the stored voice message, the memory capacity used for storing the voice message and the remaining memory capacity (page 6). Like Applicant's invention, Akahane teaches storing voice messages. In addition to storing voice messages, Akahane also stores storage related information such as the number of messages stored, speech rate and destination, remaining memory capacity, elapsed time and remaining time (see columns 4 and 5). Hence in addition to storing voice messages, Akahane also stores storage related information. Similar to Applicant's disclosure, Akahane calculates the remaining memory capacity by subtracting the used memory capacity from the total memory capacity. In addition to including voice messages, the total memory capacity of Akahane includes information such as the number of messages stored, speech rate, destination, remaining memory capacity, elapsed time and remaining time. Therefore Akahane teaches the disclosed method of calculating as disclosed by Applicant. Should Applicant insist on alleging that Akahane does not disclose the claimed storage related information, Examiner respectfully request that Applicant point out the portions of Applicant's specification that teach the calculations are based on the storage related information.

Continuation of 10. Other: Examiner acknowledges the certified copy of the Korean Application has been received.